

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

Case No. 3:23-cv-00170-TJM-ML

PREPARED FOOD PHOTOS, INC. f/k/a
ADLIFE MARKETING &
COMMUNICATIONS CO., INC.,

Plaintiff,

v.

PARK PLACE RESTAURANT, LLC d/b/a
PARK PLACE SPORTS BAR & GRILL,

Defendant.

MOTION TO REOPEN

Plaintiff Prepared Food Photos, Inc. f/k/a Adlife Marketing & Communications Co., Inc.

(“Plaintiff”) respectfully moves the Court to reopen this case, and states as follows:

1. On June 28, 2023, the parties filed their Joint Notice of Settlement. See D.E. 18.
2. On June 30, 2023, the Court entered an Order dismissing the case by Reason of Settlement wherein the Court ordered that any application to reopen this case must be filed within thirty (30) days of the date of the Order. See D.E. 19.
3. Since the Joint Notice of Settlement, Plaintiff and defendant Park Place Restaurant, LLC d/b/a Park Place Sports Bar & Grill (“Defendant”) have not been able to agree regarding inclusion of certain provisions in the settlement agreement and therefore have reached an impasse in their settlement discussions.
4. Given this issue, Plaintiff requests that the Court enter an Order reopening this lawsuit to allow the parties to litigate their respective claims/defenses.

WHEREFORE, Plaintiff respectfully requests that the Court enter an Order granting this

Motion and for such further relief as the Court deems proper.

Respectfully submitted,

Dated: July 25, 2023.

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By: /s/ Daniel DeSouza
Daniel DeSouza, Esq.

CERTIFICATE OF SERVICE

I hereby certify that on July 25, 2023, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF, which will electronically serve all counsel of record.

/s/ Daniel DeSouza
Daniel DeSouza, Esq.